

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested. Claims 1, 9, 11, 14, and 20-21 have been amended. New claim 26 has been added. Support for all amendments and new claims can be found the specification. No new subject matter has been added as a consequence of these amendments.

Claims 1, 7-8, 11-12, 15-18, and 20-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,258,766 ("Romack").

Regarding the anticipatory rejection, Applicants submit that the surfactant component of the liquid dry cleaning composition of Romack does not teach or suggest the conditioning agent that is utilized in the present invention. Specifically, the conditioning agent of the present invention comprises a fatty alcohol branched polyalkyloxylate or a fatty acid branched polyalkyloxylate. It is important to note that the use of the "branched" term in fatty alcohol *branched polyalkyloxylate* and fatty acid *branched polyalkyloxylate* designates that the polyalkyloxylate moiety has the branching structural feature, not the fatty alcohol (or fatty acid) moiety.

It is not clear to the Applicants why the Examiner has identified a branched fatty alcohol alkoxylate, isotridecyl alcohol ethoxylate, as an "anticipatory" compound within Romack. As Figure 1 clearly illustrates, isotridecyl alcohol ethoxylate, is a *branched fatty alcohol* alkyloxylate not a fatty alcohol *branched polyalkyloxylate*.

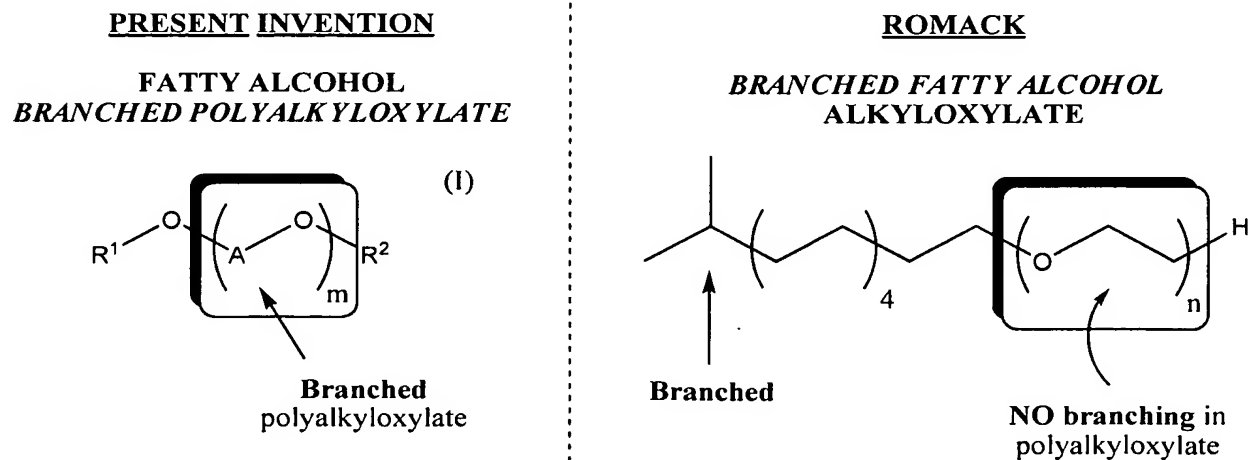


Figure 1

Claims 2-6, 9, 13-14, 19, and 22-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,258,766 ("Romack") in view of U.S. Patent 6,558,432 ("Schulte"). Claims 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,258,766 ("Romack") in view of U.S. Patent 5,676,705 ("Jureller").

As noted above, and acknowledged by the Examiner (see Official Action, pages 5-9), Romack does not teach the conditioning agent of the present invention. Accordingly, Romack also fails to teach or suggest a treatment medium (for conditioning), much less a method for conditioning of textiles with such a treatment medium. For example, the pending dry cleaning method of claim 20 provides for cleaning a textile material in a dry cleaning medium comprising at least one cleaning additive (cleaning step), removal of the cleaned textile material from the dry cleaning medium (separating step), followed by conditioning the cleaned textile material with a treatment medium comprising a conditioning agent (conditioning step).

In view of the noted deficiencies of Romack, the Examiner relies upon Schulte for its disclosure of an organic solvent, specifically a branched polyalkyloxylate. The Examiner asserts that the combination of Romack and Schulte (*i.e.*, replacing the dry cleaning surfactant of Romack with the dry cleaning organic solvent of Schulte), renders the present invention obvious. However, Schulte teaches using between 50-100% by weight of the organic solvent to form a cleaning medium (See Schulte, col. 13, lines 44-50). Conversely, the treatment medium of the present invention includes the conditioning agent, for example, from between 0.001 to 2.5% by weight. Therefore, Applicants submit that it is not obvious that using the cleaning organic solvent of Schulte in such small concentrations, would achieve the cleaning properties taught by Schulte or be "functionally equivalent" to the cleaning surfactant of Romack, much less whether it would achieve the conditioning results of the present invention. Accordingly, Applicants submit that neither Romack alone nor in combination with Schulte render the present claims unpatentable.

Similarly, Jureller fails to overcome the noted deficiencies of Romack.

Claims 1-3 and 5-6 have been provisionally rejected for non-statutory obviousness-type double patenting over claims 1-3 of copending U.S. Patent Application No. 10/554,781. Claims 8-9 and 11-12 have been provisionally rejected

for non-statutory obviousness-type double patenting over claims 1-3 of copending U.S. Patent Application No. 10/518,921. With respect to the provisional obviousness-type double patenting rejections, Applicants will address these rejections upon indication of allowable subject matter.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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